

REMARKS

The present amendment accompanies a Request for Continued Examination, and is responsive to the Official Action mailed 30 April 2002. In the Official Action mailed 30 April 2002, claims 48-58 were reviewed. Claims 53 and 57 were apparently rejected under 35 USC 112, second paragraph; claims 48-53, 57 and 58 were rejected under 35 USC 102(e); and claims 48, 49, 51, 52 and 58 were rejected under 35 USC 102 (e). Claims 54-56 were objected to as dependent upon rejected base claims.

In connection with the present request for continued examination, Applicant submits an Information Disclosure Statement, submits declarations under 37 CFR 1.131 to "swear behind" the references relied upon by the Examiner, amends claim 54, adds new claims 59-69 as set forth above, and provides a terminal disclaimer. Claims 49-69 are now pending.

Each of the objections and rejections made by the Examiner is respectfully traversed below.

Rejection of Claims 53 and 57 under 35 USC 112, Second Paragraph

The Examiner rejected claims 53 and 57 under 35 USC 112, second paragraph because of a perceived contradiction between the claims. The Examiner stated:

"Claim 57 is dependent upon claim 53. Claim 57 includes the language "storage units comprise unparsed data". Claim 53 includes the language "storage units comprise parsed data". A clear contradiction exists."

Applicant believes that the Examiner is mistaken. There is no contradiction. Claim 57 is directed to embodiments in which the machine-readable specifications comprise both parsed and unparsed data. Accordingly, reconsideration of the rejection of claims 53 and 57 on this ground is respectfully requested.

Rejections of Claims 48-53, 57 and 58 and of Claims 48, 49, 51, 52 and 58 under 35 USC 102(e)

The Examiner rejected claims 48-53, 57 and 58 under 35 USC 102(e) in view of Baker et al. (U.S. Patent No. 6,338,067) and rejected claims 48, 49, 51, 52 and 58 in the alternative in

Meltzer et al.
Application No. 09/633,365

view of Katz et al. (U.S. Patent No. 6,055,513).

Applicant submits declarations by the inventors, Meltzer, Fuchs, Glushko and Maloney, and a declaration on behalf of inventor Allen who cannot be found, under 37 CFR 1.131, establishing invention prior to the filing date of Baker et al., and prior to the filing date of Katz et al.

Accordingly, reconsideration of the rejections over Baker et al. and Katz et al. is respectfully requested in view of the early invention date established by the declarations under 37 CFR 1.131.

Claims 54-56 Allowable

The Examiner indicated that claims 54-56 include allowable subject matter, but objected to them as dependent upon rejected base claims. Claim 54 has been amended to incorporate the subject matter of its base claims. Claims 55 and 56 depend from claim 54. Applicant respectfully requests reconsideration in view of the amendment.

New Claims 59-69

Applicant has added new claims 59-69 to recite the invention in an alternative format.

Terminal Disclaimer

Applicant submits a terminal disclaimer, to obviate any potential rejection for "obviousness type double patenting" over the related patents identified in the disclaimer.

Information Disclosure Statement

Applicant has filed an Information Disclosure Statement accompanying this paper.

Meltzer et al.
Application No. 09/633,365

CONCLUSION

It is submitted that the present application is now in form for allowance, and such action is respectfully requested.

Respectfully submitted,



Date: September 26, 2002

Mark A. Haynes
Registration No. 30,846

HAYNES BEFFEL & WOLFELD LLP
P.O. Box 366
Half Moon Bay, CA 94019
(650) 712-0340 - telephone
(650) 712-0263 - facsimile

ATTACHMENT UNDER RULE 1.121

Please amend Claim 54 as follows:

54. (Amended) A method for establishing transactions among trading partners in a network, comprising:

maintaining a registry of machine-readable specifications specifying business services offered by trading partners, the machine-readable specifications including at least one of definitions of, and references to definitions of, services offered and at least one of definitions of, and references to definitions of, documents to be exchanged with such services by trading partners, wherein said machine-readable specifications comprise data identifying respective descriptions of sets of storage units and logical structures for the sets of storage units; and

providing, in response to a request, one or more of the machine-readable specifications from said registry via a communication network to a requesting node,

[The method of claim 53,] wherein the storage units comprise parsed data, and wherein the parsed data in at least one of the documents to be exchanged comprises:

character data encoding text characters in the one of the input and output documents, and

markup data identifying sets of storage units according to the logical structure of the one of the input and output documents.